

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

SURINDER S. BRATCH,

Plaintiff,

v.

EQUIFAX INFORMATION SERVICES LLC
and EXPERIAN INFORMATION
SOLUTIONS, INC.

Defendants.

Case No. CV 09-1724 RSM

STIPULATION AND ORDER RE
EXTENSION OF TRIAL DATE AND
RELATED DEADLINES

STIPULATION

1. Plaintiff Surinder S. Bratch ("Plaintiff"), Defendant Experian Information Solutions, Inc. ("Experian"), and Defendant Equifax Information Services, LLC ("Equifax"), by and through their respective attorneys of record, hereby stipulate to seek an extension of the Trial Date and Related Deadlines set forth in this Court's August 31, 2010 Order Setting Trial & Related Dates (Docket No. 35).

2. At all times, the parties have been proactive in the litigation of this case. The parties have exchanged and responded to written discovery and produced more than 1,600 pages of documents collectively. Plaintiff has sought additional discovery from defendants, some of which he has not yet received. Plaintiff has also produced further discovery to defendants as it has become available, which Defendants have not yet had adequate time to review.

1 3. Defendants have twice deposed Plaintiff and contemplate at least one more
2 deposition. Defendants have also deposed Plaintiff's wife.

3 4. Defendants have noticed four non-party Plaintiff witnesses for depositions and
4 may depose further non-party witnesses based on ongoing discovery. The non-party depositions
5 could not take place as scheduled due to unforeseen inclement weather in Seattle. Given the
6 difficulty of rescheduling these depositions during the upcoming holiday season, the parties
7 agree it would be appropriate to reschedule them in January. However, the current discovery
8 deadline is January 10, 2011. The parties cannot reschedule these depositions without first
9 obtaining the permission of the Court to extend the discovery cutoff.

10 5. Plaintiff has noticed depositions of defendants' representatives and all parties
11 agree that it would be appropriate to reschedule these after the new year. Again, however, the
12 current discovery deadline is January 10, 2011, and the parties cannot reschedule these
13 depositions without first obtaining the permission of the Court to extend the discovery cutoff.

14 6. The parties agree to an Expert Witness Report deadline of December 15, 2010
15 with the understanding that Plaintiff may seek an additional extension of that deadline if he
16 desires to use another expert. Defendants reserve the right to oppose any further request to
17 extend the Expert Witness Report deadline.

18 7. Finally, Plaintiff intends to file a motion for leave to amend and supplement his
19 complaint to address, among other things, allegations of conduct by defendants taking place
20 subsequent to the filing of this lawsuit. The filing of this amended supplemental complaint, if
21 allowed, will almost certainly necessitate further motion practice and discovery by all parties.

22 8. Based on the foregoing, the parties agree that further time is necessary and
23 appropriate to fully develop the facts and issues in this case before proceeding to trial.
24 Accordingly, the parties propose the following extension of deadlines:
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	Original Deadline	Proposed Deadline
Trial Date	May 9, 2011	On or after July 13, 2011
Reports from expert witnesses under FRCP 26(a)(2) due	November 10, 2010	December 15, 2010
All motions related to discovery must be filed by and noted on the motion calendar no later than the third Friday thereafter (see CR7(d))	December 10, 2011	February 10, 2011
Discovery completed by	January 10, 2011	March 10, 2011
All dispositive motions must be filed by and noted on the motion calendar no later than the fourth Friday thereafter	February 8, 2011	April 8, 2011
Mediation per CR 39.1(c)(3) held no later than	March 25, 2011	May 25, 2011
All motions in limine must be filed by and noted on the motion calendar for the third Friday thereafter pursuant to CR7(d)	April 11, 2011	June 10, 2011
Agreed pretrial order due	April 27, 2011	June 27, 2011
Pretrial conference [to be scheduled by the Court]		
Trial briefs, proposed voir dire questions, proposed jury instructions, and trial exhibits due	May 4, 2011	July 8, 2011
Length of Jury Trial	3-5 days	3-5 days

9. This is the parties' first stipulation to extend all deadlines. Previously, on August 9, 2010, this Court granted the parties' Stipulation Between Parties to Extend the Expert Witness Report Deadline for Two Weeks (Docket No. 24). The Court also granted Plaintiff's prior Motion to Extend Deadlines on August 30, 2010 (Docket No. 34) previously stipulated to an extension of the expert witness deadline parties' second request for an extension of deadlines.

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2 Dated this 10th day of December, 2010.

3 Respectfully submitted,

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ORDER

THIS Matter having come before the court upon stipulation by the Plaintiff and Defendants Experian and Equifax, the Court having reviewed and considered the stipulation and all related pleadings and documents on file in this case, NOW THEREFORE IT IS HEREBY

ORDERED that the deadlines set forth the Court's August 31, 2010 Order Setting Trial Date & Related Deadlines will be extended as proposed by the parties above, except that the new trial date will now be July 18, 2011.

DATED THIS 15th day of December 2010.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE

Presented by:

/s/Christina Latta Henry

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